

Yackulic, Ted

From: Yackulic, Ted
Sent: Friday, January 31, 2014 11:44 AM
To: Feldman, Stephen (Perkins Coie)
Cc: Frederick.Phillips@USDOJ.GOV
Subject: RE: Revised Escrow Agreement

Good question, I'll see if I can find an answer.

From: Feldman, Stephen (Perkins Coie) [mailto:SFeldman@perkinscoie.com]
Sent: Friday, January 31, 2014 11:36 AM
To: Yackulic, Ted
Cc: Frederick.Phillips@USDOJ.GOV
Subject: RE: Revised Escrow Agreement

To whom does the "statement" get sent and by what method?

From: Yackulic, Ted [mailto:yackulic.ted@epa.gov]
Sent: Friday, January 31, 2014 10:27 AM
To: Feldman, Stephen (Perkins Coie)
Cc: Frederick.Phillips@USDOJ.GOV
Subject: RE: Revised Escrow Agreement

Yes, we can develop a prepared statement. Do you want to give it a shot? I've got a signed copy of the lien release form. I will send you a scanned version of the lien release after we receive a copy of the executed escrow agreement. Thanks.

Ted Yackulic, Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Phone: 206-553-1218
yackulic.ted@epa.gov

From: Feldman, Stephen (Perkins Coie) [mailto:SFeldman@perkinscoie.com]
Sent: Friday, January 31, 2014 10:15 AM
To: Yackulic, Ted
Subject: RE: Revised Escrow Agreement

Wow, that's a lot of notice. But ok.

Regarding that "statement identifying", can we prepare such a statement in advance and attach it as an exhibit to the Escrow Agreement so as to avoid any potential issues/concerns later on? If so, I will prepare and circulate a draft.

From: Yackulic, Ted [<mailto:yackulic.ted@epa.gov>]
Sent: Friday, January 31, 2014 10:09 AM
To: Feldman, Stephen (Perkins Coie)
Subject: RE: Revised Escrow Agreement

Here it is.

Disbursement of the escrow funds to EPA by Electronic Funds Transfer shall be accompanied by a statement identifying the name and address of the party(ies) making payment, the Site name (Absorbent Technologies Site), the EPA Region and Site/Spill ID Number **MT10**, and the EPA CERCLA docket number (10-2014-0057) for this action.

b. At the time of payment, Respondent shall send notice that such payment has been made by email to acctsreceivable.cinwd@epa.gov, and to:

EPA Cincinnati Finance Office
26 Martin Luther King Drive
Cincinnati, Ohio 45268

From: Feldman, Stephen (Perkins Coie) [<mailto:SFeldman@perkinscoie.com>]
Sent: Friday, January 31, 2014 9:40 AM
To: Yackulic, Ted
Subject: RE: Revised Escrow Agreement

Thanks, Ted.

Just got your voicemail. Please do send me back whatever additional payment information needs to go into the Escrow Agreement. (I thought that the second email you sent yesterday (with the wiring instructions) superseded the earlier one.)

From: Yackulic, Ted [<mailto:yackulic.ted@epa.gov>]
Sent: Friday, January 31, 2014 9:38 AM
To: Feldman, Stephen (Perkins Coie)
Subject: RE: Revised Escrow Agreement

As does the non-interest bearing account.

From: Feldman, Stephen (Perkins Coie) [<mailto:SFeldman@perkinscoie.com>]
Sent: Friday, January 31, 2014 9:26 AM
To: Yackulic, Ted; Frederick.Phillips@USDOJ.GOV
Cc: 'jleonard@ml-llp.com'
Subject: RE: Revised Escrow Agreement

Thanks.

From: Yackulic, Ted [<mailto:yackulic.ted@epa.gov>]
Sent: Friday, January 31, 2014 9:25 AM
To: Feldman, Stephen (Perkins Coie); Frederick.Phillips@USDOJ.GOV
Cc: 'jleonard@ml-llp.com'
Subject: RE: Revised Escrow Agreement

That works.

From: Feldman, Stephen (Perkins Coie) [<mailto:SFeldman@perkinscoie.com>]
Sent: Friday, January 31, 2014 8:47 AM
To: Frederick.Phillips@USDOJ.GOV; Yackulic, Ted
Cc: 'jleonard@ml-llp.com'
Subject: Re: Revised Escrow Agreement

Thanks, Fred.

Chicago Title would like EPA to sign the Escrow Agreement in its capacity as beneficiary. I trust that that will be OK with EPA, but please confirm.

Thanks,
Stephen

From: Phillips, Frederick (ENRD) [<mailto:Frederick.Phillips@usdoj.gov>]
Sent: Friday, January 31, 2014 06:20 AM Pacific Standard Time
To: Feldman, Stephen (Perkins Coie); Yackulic, Ted (yackulic.ted@epa.gov) <yackulic.ted@epa.gov>
Cc: Justin D. Leonard (jleonard@ml-llp.com) <jleonard@ml-llp.com>
Subject: RE: Revised Escrow Agreement

Stephen,

This looks fine to me. I will discuss with Ted when he gets in this morning.

Thanks.

From: Feldman, Stephen (Perkins Coie) [<mailto:SFeldman@perkinscoie.com>]
Sent: Thursday, January 30, 2014 8:43 PM
To: Phillips, Frederick (ENRD); Yackulic, Ted (yackulic.ted@epa.gov)
Cc: Justin D. Leonard (jleonard@ml-llp.com)
Subject: Revised Escrow Agreement

Fred and Ted,

The attached version of the Escrow Agreement incorporates the suggested changes that you sent earlier today. I may have tweaked one or two of the proposed changes, but all of the substantive changes you requested should be included. All changes from the original version that I circulated appear in redline.

Please confirm that EPA agrees to the form of the attached version of the Escrow Agreement.

Thanks,
Stephen

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